IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 19TH DECEMBER 2007 / 28TH AGRAHAYANA 1929

WP(C).No. 36547 of 2007(A)

PETITIONER:

BHARTI AIRTEL LTD.,
FORMERLY KNOWN AS BHARTI TELE-VENTURES LIMITED,
"BHARTI TOWERS", S.A.ROAD, KADAVANTHRA,
KOCHI-682 020, REPRESENTED BY ITS HEAD-LEGAL,
SRI. P.JAYABAL MENON.

BY ADV. SRI.SANTHOSH MATHEW
SRI.SATHISH NINAN

RESPONDENTS:

EDAYUR GRAMA PANCHAYAT,
EDAYUR P.O., MALAPPURAM-676 554, REPRESENTED BY
ITS SECRETARY.

BY ADV. SRI.JESWIN P.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C)No.36547 OF 2007-A

DATED THIS THE 19th December, 2007

J U D G M E N T

A counter affidavit has been filed by the Panchayat wherein it is stated that the Panchayath will be inclined to grant licence provided the site of the proposed tower is shifted. I do not propose to go into the merits of the matter. I dispose of this writ petition directing the respondent Panchayat to pass final orders on the application for licence submitted by the petitioner after hearing the petitioner and in the light of materials including judicial precedents which may be cited before the respondent. The order to be passed by the respondent shall refer to the judgment of the Division Bench of this Court in **Reliance Infocom Ltd. v. Chemanchery Grama Panchayath, 2006(4)K.L.T.695.** The orders as directed above shall be passed at the earliest, at any rate within two weeks of receiving a copy of this judgment.

(PIUS C.KURIAKOSE, JUDGE)

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